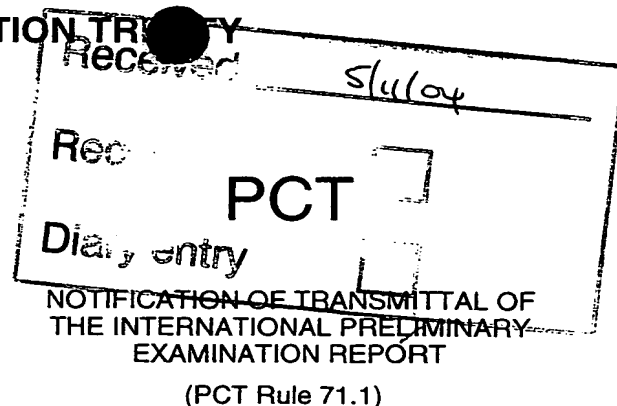


PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

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Date of mailing
(day/month/year)

03.11.2004

Applicant's or agent's file reference
P00121WO

IMPORTANT NOTIFICATION

International application No.
PCT/GB 03/03355

International filing date (day/month/year)
01.08.2003

Priority date (day/month/year)
01.08.2002

Applicant
SPEXXWORLD LIMITED et al.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international preliminary examining authority:



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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Article 36 and Rule 70)

Applicant's or agent's file reference P00121WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/GB 03/03355	International filing date (<i>day/month/year</i>) 01.08.2003	Priority date (<i>day/month/year</i>) 01.08.2002
International Patent Classification (IPC) or both national classification and IPC G02C5/00		
Applicant SPEXXWORLD LIMITED et al.		



1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

 These annexes consist of a total of 4 sheets.

3. This report contains indications relating to the following items:

I	<input checked="" type="checkbox"/>	Basis of the opinion
II	<input type="checkbox"/>	Priority
III	<input type="checkbox"/>	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
IV	<input type="checkbox"/>	Lack of unity of invention
V	<input checked="" type="checkbox"/>	Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
VI	<input type="checkbox"/>	Certain documents cited
VII	<input type="checkbox"/>	Certain defects in the international application
VIII	<input type="checkbox"/>	Certain observations on the international application

Date of submission of the demand 01.03.2004	Date of completion of this report 03.11.2004
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Bratfisch, K Telephone No. +49 89 2399-2852 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/GB 03/03355**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

2, 4-11 as originally filed
1, 3 received on 25.10.2004 with letter of 20.10.2004

Claims, Numbers

9-18 as originally filed
1-8, 19-23 received on 25.10.2004 with letter of 20.10.2004

Drawings, Sheets

1/21-21/21 as originally filed

2. With regard to the **language**, all the **elements** marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/GB 03/03355**

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-23
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-23
Industrial applicability (IA)	Yes: Claims	1-23
	No: Claims	

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/GB 03/03355

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1 Reference is made to the following documents:

- D1: EP-A-0 410 027 (BLACKSTONE JOSHUA) 30 January 1991 (1991-01-30)
- D2: GB 684 407 A (ENID PHYLLIS SHAND) 17 December 1952 (1952-12-17)
- D3: US-A-4 955 709 (SMITH ANTON K) 11 September 1990 (1990-09-11)
- D4: US-A-5 825 452 (SPECTOR DONALD) 20 October 1998 (1998-10-20)

The following document is cited by the examiner. A copy of the document is annexed:

D5: US-A-5 661 536

2 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims is 1-3, 7, 9, 11, 21 and 24 not new in the sense of Article 33(2) PCT and the subject-matter of claims 4-6, 8, 10, 12-20, 22 and 23 does not involve an inventive step in the sense of Article 33(3) PCT:

2.1 Document D2 discloses a spectacle kit which comprises a pair of lenses (1, 1a) made of flexible material (see Fig. 1) joined by a nose bridge portion (3), and a pair of side arms, each lens having an outer upper portion (4, 4a) and an outer lower portion (5, 5a) said upper and lower portions being moveable toward one another so as to overlap and form a convex curved portion in each lens (see page 1 lines 68-93).

Thus, the subject-matter of claim 1 differs from the spectacles kit disclosed in D1 only in that each side arm includes a slot suitable for receiving and retaining the upper and lower portions of each lens.

Document D5 discloses spectacles with side arms including a slot (55) wherein upper and lower side portions (56, 57) of a lens (14) (see Fig. 4).

Moreover, it is clearly apparent from the structure of the side arm shown in Fig. 4 of D5, that the slot would be also suitable for receiving and retaining the upper and lower portions of the lens of D2. (compare Fig 4 of D5 with Fig. 8 and 9 of the present application).

The skilled person would therefore regard it as a normal option to attach the side arms of D5 to the lenses of the spectacles described in document D2. Consequently, the subject-matter of claim 1 lacks an inventive step.

2.2 The above objections apply in a similar manner to claim 23 relating to a pair of spectacles.

2.3 Furthermore D2 discloses that

- the lens material may be flat sheet material which allows printed matter to be provided thereon (page 1 lines 11-19);
- the lenses may comprise coloured or sunlight filtering lenses (page 1 lines 11-19);
- the upper portions and the lower portions may be provided with apertures (6) in their end portions such that the holes are aligned during assembly of the spectacles (see Fig. 1).
- the upper portions and lower portions may be connected to each other;
- the upper and lower portions may be arranged to overlap one another during assembly (see page 1 lines 68-93);
- the spectacle kit parts (1, 1a) may be all manufactured from the same sheet material and removably attached to a waste portion of such sheet material such that each kit part may be removed therefrom (see Fig. 1 and page 1 lines 68-80).

Although, in D2 there is no explicit disclosure of printed matter provided on the sheet material, it is apparent that the sheet material is suitable for being provided with such printed matter. The feature that the flat sheet material allows printed matter to be provided thereon is considered as explicitly disclosed in D2. Thus, claims 2, 3, 7, 9, 11 and 20 do not define any inventive subject-matter either.

2.4 Claims 4-6, 8, 10, 12-19, 21 and 22 are not considered to contain any inventive subject-matter, because the features defined in these claims appear to relate to the state of the art of protective eyewear. (see D1 Fig. 1-15; D3 Fig. 3 and D4 Fig. 4).

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Claims

1. A spectacle kit comprises a pair of lenses made of flexible material joined by a nose bridge portion, and a pair of side arms, each lens having an outer upper portion and an outer lower portion said upper and lower portions being moveable toward one another so as to overlap and form a convex curved portion in each lens characterised by each side arm including a slot suitable for receiving and retaining the upper and lower portions of each lens.
2. A spectacle kit according to claim 1 wherein the lens material comprises flat sheet material which allows printed matter to be provided thereon.
3. A spectacle kit according to any one of the preceding claims wherein the lenses comprise coloured or sunlight filtering lenses.
4. A spectacle kit according to any one of the preceding claims wherein the lenses are provided with a plurality of apertures through which a wearer may see.
5. A spectacle kit according to any one of the preceding claims wherein the apertures comprise holes.
6. A spectacle kit according to any one of the preceding claims wherein the apertures comprise slots.
7. A spectacle kit according to any one of the preceding claims wherein the upper portions and the lower portions may be provided with apertures in their end portions such that the holes are aligned during assembly of the spectacles.
8. A spectacle kit according to any one of the preceding claims wherein the side arms comprise spigots of a suitable size to receive the aligned holes of each end of the spectacle lens.

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19. A spectacle kit according to any one of the preceding claims wherein the hinge portion comprises a notch so as to enable the side arms to be folded toward one another during use of the spectacles.

5 20. A spectacle kit according to any one of the preceding claims wherein the spectacle kit parts are manufactured from the same sheet material and removably attached to a waste portion of such sheet material such that each kit part is removable therefrom

10 21. A spectacle kit according to any one of the preceding claims wherein the kit further comprises a nose bridge element formed to be removably attachable to the lenses nose bridge portion.

22. A spectacle kit according to claim 21 wherein the nose bridge element is manufactured from rigid plastic material.

15

23. A pair of spectacles comprises a pair of lenses made from flexible material and a pair of side arms, each lens having an upper arm and a lower arm disposed at its outer edge, said arms at each edge overlapping one another such that each lens is provided with a curved portion characterised by each side arm including a slot suitable for receiving a
20 corresponding end portion of the pair of flexible lenses.

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Each side arm may include a slot suitable for receiving a corresponding end portion of the pair of flexible lenses.

Each slot may be adjacent the spigot.

5

The side arms may be curved so as to be suitable for gripping the sides of a wearers head. The hinge portion may comprise a notch so as to enable the side arms to be folded toward one another during use of the spectacles.

- 10 The spectacle kit parts may be all manufactured from the same sheet material and be removably attached to a waste portion of such sheet material such that each kit part may be removed therefrom.

- 15 Also according to the present invention there is provided a pair of spectacles comprising a pair of lenses made from flexible material, each lens having an upper arm and a lower arm disposed at its outer edge, said arms at each edge overlapping one another such that each lens is provided with a curved portion characterised by each side arm including a slot suitable for receiving and retaining the upper and lower portions of each lens.

- 20 Embodiments of the present invention will now be described with reference to the accompanying drawings in which:

Fig 1 is a front view of a pair of lenses according to one embodiment of the present invention.

25

Figure 1b is a front view of a pair of lenses according to a further embodiment of the present invention.

- 30 Figure 1c is a front view of a pair of lenses according to a further embodiment of the present invention.

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1

Spectacle Kit

This invention relates to a kit for a pair of spectacles. More particularly this invention
5 relates to a kit for a pair of self assembly spectacles. More particularly still this invention
relates to self assembly sunglasses of the type where advertising matter is displayed
thereon.

10 It is known for self assembly sunglasses to be provided in airline travel packs and as
promotional matter at, for example sporting events. Such sunglasses are generally
provided flat packed and comprise a crude design.

The process of printing promotional matter onto lenses or frames of such spectacles can
also be time consuming and expensive.

15 According to the present invention there is provided a spectacle kit comprising a pair of
lenses made of flexible material joined by a nose bridge portion, and a pair of side arms,
each lens having an outer upper portion and an outer lower portion said upper and lower
portions being moveable toward one another so as to overlap and form a convex curved
20 portion in each lens characterised by each side arm including a slot suitable for receiving
and retaining the upper and lower portions of each lens.

Advantageously the kit of spectacle parts can be quickly assembled to provide aesthetically
pleasing eyewear with curved lenses normally associated with pre assembled conventional
25 spectacles.

The lens material may be flat sheet material which allows printed matter to be provided
thereon

30 The lenses may comprise coloured or sunlight filtering lenses.

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